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## REPRESENTATION STATEMENT

The undersigned represent CAMERON WINKLEVOSS, TYLER WINKLEVOSS and DIVYA NARENDRA in this matter, and no other party. Attached is a service list that shows all of the parties to the action below, and identifies their counsel by name, firm, address, electronic e-mail address, and telephone number, where appropriate. (F.R.A.P. 12(b); Circuit Rule 3-2(b)).

DATED: September 14, 2009.

Respectfully,

JEROME B. FALK, JR.
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## PROOF OF SERVICE BY MAIL

I am employed in the City and County of San Francisco, State of California. I am over the age of eighteen (18) years and not a party to the within action; my business address is Three Embarcadero Center, Seventh Floor, San Francisco, California 94111-4024.

I am readily familiar with the practice for collection and processing of documents for mailing with the United States Postal Service of Howard Rice Nemerovski Canady Falk & Rabkin, A Professional Corporation, and that practice is that the documents are deposited with the United States Postal Service with postage fully prepaid the same day as the day of collection in the ordinary course of business.

On September 14, 2009, I served the following document(s) described as NOTICE OF APPEAL; REPRESENTATION STATEMENT WITH SERVICE LIST; CIVIL APPEALS DOCKETING STATEMENT on the persons listed below by placing the document(s) for deposit in the United States Postal Service through the regular mail collection process at the law offices of Howard Rice Nemerovski Canady Falk & Rabkin, A Professional Corporation, located at Three Embarcadero Center, Seventh Floor, San Francisco, California, to be served by mail addressed as follows:

#### SEE ATTACHED LIST.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed at San Francisco, California on September 14, 2009.

Phyllis M. Montage Phyllis M. Montoya

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